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Attorneys for Federal Defendants

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF HAWAI`I

| | | |
|---------------------------------|---|-------------------------------|
| ILIO'ULAOKALANI COALITION, a |) | CIVIL NO.04-00502 DAE BMK |
| Hawaii, nonprofit corporation; |) | |
| NA'IMI PONO, a Hawaii |) | |
| unincorporated association; and |) | NOTICE OF FILING OF |
| KIPUKA, a Hawaii unincorporated |) | FOURTH PERIODIC PROGRESS |
| association, |) | REPORT DATED OCTOBER 1, 2007; |
| |) | ATTACHMENT 1; and |
| Plaintiffs, |) | CERTIFICATE OF SERVICE |
| |) | |
| v. |) | |
| |) | |
| ROBERT M. GATES, Secretary of |) | |
| United States Department of |) | |
| Defense; and FRANCIS J. HARVEY, |) | |
| Secretary of the United States |) | |
| Department of the Army, |) | |
| |) | |
| Defendants. |) | |
| |) | |

NOTICE OF FILING OF FOURTH PERIODIC PROGRESS REPORT
DATED OCTOBER 1, 2007

In its Order Setting Interim Injunction dated December 29, 2006, the Court ordered the United States Army("Army") to undertake additional mitigation measures related to training and construction projects associated with the transformation of the 2nd Brigade of the 25th Infantry into a Stryker Brigade Combat Team ("SBCT"). In its Order, the Court required the Army to periodically report on the status of specific mitigation measures and instructed the parties to confer on a proposed reporting schedule.

In accordance with the Court's Order and after consultation with Plaintiffs on an appropriate reporting schedule, the parties agreed that the United States Army would submit its First Periodic Progress Report on March 30, 2007, its Second Periodic Progress Report Relating to Range 11T on May 29, 2007, its Third Periodic Progress Report on July 2, 2007, and subsequent periodic progress reports would be submitted on a quarterly basis. In accordance with the Court's Order and agreement with Plaintiffs, the Army hereby submits the attached Fourth Periodic Progress Report dated October 1, 2007.

Respectfully submitted this 1st day of October, 2007.

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By /s/Barry Weiner
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| KIPUKA, a Hawaii unincorporated |) | |
| association, |) | |
| |) | |
| Plaintiffs, |) | |
| |) | |
| v. |) | |
| |) | |
| ROBERT M. GATES, Secretary of |) | |
| United States Department of |) | |
| Defense; and FRANCIS J. HARVEY, |) | |
| Secretary of the United States |) | |
| Department of the Army, |) | |
| |) | |
| Defendants. |) | |
| _____ |) | |

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that, on the date and by the method of service noted below, a true and correct copy of the Defendants' Fourth Periodic Progress Report dated October 1, 2007 was served electronically on the following at his last known address:

David Henkin dhenkin@earthjustice.org

Isaac H. Moriwake imoriwake@earthjustice.org

Attorney for Plaintiffs

DATED: October 1, 2007, at Washington, D.C.

/s/ Barry A. Weiner
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